

**DISTRICT V ADVISORY BOARD
REVISED AGENDA**

**October 4, 2004
7:00 p.m.**

**Auburn Hills Golf Course Clubhouse
443 S. 135th West**

ORDER OF BUSINESS

Call to Order

Approval of Minutes for September 13, 2004

Approval of Agenda for October 4, 2004

Staff Reports

1. Community Police Report

Community Police Officers for District V will report on specific concerns for beat areas.

Recommended Action: Receive and file

New Business

2. 13th Street N. Bridge and Paving 13th Street N., Cedar Park to 135th Street

Public Works will present a project for replacing the bridge at the Cowskin Creek and overlay 13th from Cedar Park to 135th.

Recommended Action: Recommend Council approval.

3. Downtown Arena

Information for arena proposal will be presented by Richard Schodorf in coordination with the Downtown Development Corporation.

Recommended Action: Receive and file.

4. CUP2004-34, NW Village Shopping Center

Planning Staff will present information on a request to amend a Conditional Use at 13th & Tyler to allow use as emergency medical center.

Recommended Action: Recommend Council approval.

5. **Office of Central Inspection Update**

Deb Legge and Randy Sparkman, Neighborhood Inspection Supervisors, will present information about inspections of premise conditions & housing.

Recommended Action: Receive and file.

Public Agenda

This portion of the agenda provides an opportunity for citizens to present items not shown as part of the regular meeting agenda.

6. **Scheduled items**

7. **Off-agenda items**

Recommendation: Provide comments/assign staff action.

Board Agenda

8. **Updates, Issues, and Reports**

Report on any activities, events, or concerns in the neighborhoods and/or District V.

Council Member Martz

Issues/updates

DAB Members

Concerns/issues/updates

Recommended Action: Address each item, as appropriate.

Next Meeting

The next meeting for District Advisory Board V will be scheduled at Auburn Hills Clubhouse at **7:00 p.m. on November 1, 2004** on the regular meeting date of the first Monday of the month.

Adjournment

Agenda Item 2

**City of Wichita
District V Advisory Board Meeting
October 4, 2004**

TO: City Council Member Martz
District V Advisory Board Members

SUBJECT: 13th Street North Improvement from 135th Street West to Azure

INITIATED BY: Public Works

AGENDA: New Business

Recommendations: Approve the project.

Background: The 2004-2013 Capital Improvement Program adopted by the City Council includes a project to improve 13th Street North from 135th Street West to Azure. The project is needed to improve traffic safety and increase traffic carrying capacity.

Analysis: The proposal is to build a four-lane roadway with a landscaped median. Left turn lanes will be provided at intersecting side streets. The intersection of 13th at 135th Street West will be signalized. Construction is planned for 2007.

Financial Considerations: The estimated project cost is \$1,800,000 with \$700,000 paid by the City and \$1,100,000 by Federal Grants administered by the Kansas Department of Transportation. The funding source for the City share is General Obligation Bonds.

Legal Considerations: None.

Recommendation/Actions: It is recommended that the District Advisory Board approve the project.



Item 4 - Planning Case CON2004-34, NW Village Shopping Center

AGENDA ITEM NO. _____

STAFF REPORT

DAB V 10-4-04
MAPC 10-7-04

CASE NUMBER: CUP2004-00034

APPLICANT/AGENT: Super Market Developers, owner-applicant (Peter Bohling, agent); Wesley Medical Center, lessee-applicant (Sam Serrill, agent); Tegra Health Care Properties, purchaser-applicant (Matt Jensen, agent)

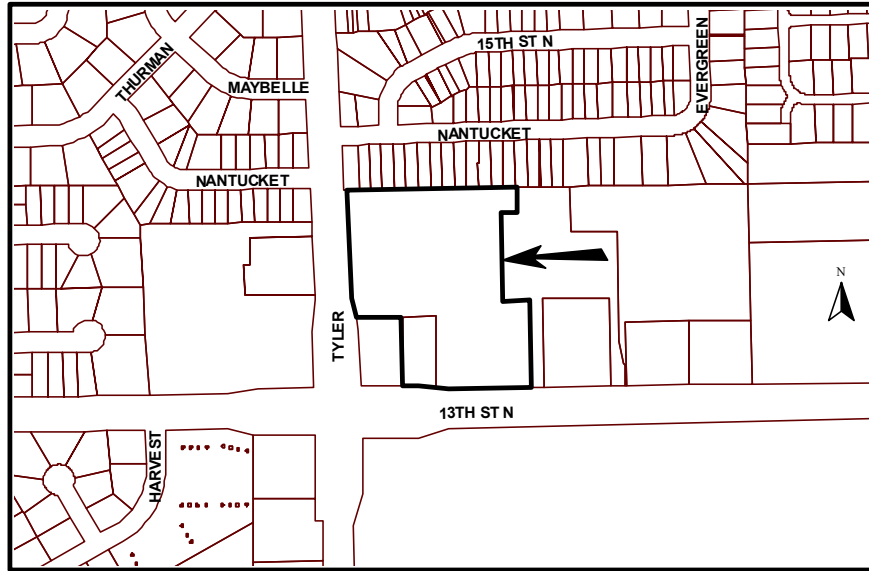
REQUEST: Amend DP-106 Northwest Village Community Unit Plan to allow for emergency medical and diagnostic services, and education services.

CURRENT ZONING: LC Limited Commercial subject to the development standards found in DP-106

SITE SIZE: 6.83 acres

LOCATION: Northeast of the intersection of North Tyler Road and west 13th Street North.

PROPOSED USE: Emergency medical and diagnostic services and educational services



BACKGROUND: The Northwest Village Community Unit Plan (CUP) is located at the northeast corner of Tyler Road and 13th Street North, and is divided into five development parcels, with each parcel containing specific development standards. The application area is located in Parcel 4, and has a base zoning of LC, Limited Commercial, subject to the CUP development restrictions. Super Market Developers own the western 6.8 acres of the 16.75-acre Parcel 4, and are seeking an amendment to allow “emergency medical and diagnostic services, and education services” to occur on the applicants’ portion of Parcel 4. If the request is approved, Tegra Healthcare Properties intends to purchase the site and lease some or all-of-the site to Wesley Health Care who intends to provide medical services, including emergency medical services (EMS).

The applicants’ portion of Parcel 4 is developed with a commercial building containing approximately 66,000 square feet that was, until two to three years ago, a grocery store. The building is now vacant and has been since the grocery store closed.

This facility would provide emergency services for minor injuries up to and including low-level trauma events. 10,000 square feet of the building’s 66,000 square feet would be committed to the EMS service. The EMS facility would be open seven days a week, 24-hours a day. Wesley estimates there would be an average of one to two emergency runs a day. Another 5,000 feet would be dedicated to diagnostic services, including laboratory work, and diagnostic imaging capabilities such as CT, x-ray, mammography and ultrasound. The remaining 51,000 square feet would be used for medical offices; educational services and other permitted uses (see Tegra Healthcare letter of August 3, 2004, attached.) The entrance to the EMS room would be from the west side of the building. The applicant anticipates 190 to 290 weekly patient visits for all medial uses.

Access to the site is via both Tyler and 13th streets.

The eastern portion of Parcel 4 is owned by another entity, Northwest Centre, L.L.C., and is developed with 79,550 square feet of retail and office uses. The other four

parcels within the CUP are developed with a bank, additional retail, office and service uses and residences.

Currently, Parcel 4 permits: shopping center; tire battery and accessory; financial, office, personal service convenience and service oriented retail uses.

Land to the north is part of the CUP and developed with residences; to the south is Northwest High School; and to the west are commercial and residential uses.

A masonry wall exists along the northern boundary of Parcel 4 that separates the commercial uses from the residential uses, located to the north. There is also a mature hedgerow of trees located north of the wall. City Fire Station 16 is located approximately 932 feet north of the application area (16th Street and Tyler), and responds to an average of 139 emergency calls a month with siren and lights.

The applicants held a neighborhood meeting with area residents on August 26, 2004.

CASE HISTORY: Both the Northwest Village Community Unit Plan and its associated zoning, and the Northwest Village plat were approved and recorded in 1980. The application area is part of Lot 4, Northwest Village Addition. On August 3, 2004, the applicants sought an administrative interpretation from the Superintendent of Central Inspection to allow the proposed use by-right under the permitted uses section of the existing CUP (see attached letter from Tegra Healthcare Properties). However, on August 15, 2004, the Superintendent determined that the emergency medical service use is not permitted by-right, and required an amendment to the CUP (see attached letter dated August 15, 2004). Northwest Centre, L.L.C. and a citizen residing in one of the homes located north of the site submitted letters of opposition dated August 11, 2004, and August 10, 2004 (see attached letters from Gary Oborny and Amy James).

The opposition cite incompatibility of uses; increased traffic congestion; emergency vehicle traffic will generate additional light and noise; patrons of the EMS room can be security risks for the neighborhood; negative impact on the shopping experience; lack of commitment by Wesley to provide security for the EMS facility. They also estimate that the number of runs is more likely to be seven to eight trips per day.

ADJACENT ZONING AND LAND USE:

NORTH: MF-29, Multi-family Residential; duplex residences
SOUTH: SF-5, Single-family Residential; high school
EAST: LC, Limited Commercial; retail, office and service commercial
WEST: LC, Limited Commercial and MF-18 Multi-family Residential; retail commercial and residences.

PUBLIC SERVICES: All normal public services are available. Tyler and 13th streets are paved four-lane arterials with right and left turn lanes at the intersections. Average

daily traffic through the Tyler and 13th streets intersection ranges from 15,830 to 22,517 vehicles.

CONFORMANCE TO PLANS/POLICIES: The Wichita Land Use Guide map depicts this site as appropriate for commercial uses. The City's comprehensive land use plan contains location guidelines for commercial and office uses. In general these guidelines recommend that such uses should: be located adjacent to arterial streets; employ site design features that limit noise and lighting; be located in planned centers; and that local, service-oriented offices be incorporated within or adjacent to neighborhood and community scale, commercial developments. The Plan also contains a public safety goal of providing residents with the highest quality and most efficient public safety services available, and a public safety objective of providing responsive public safety services to meet the needs of existing residents and future new growth.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the following condition: "Emergency medical and diagnostic services, and education services" are permitted uses in Parcel 4."

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: There is a mix of zoning and uses in the general area. Properties are zoned SF-5 Single-family Residential, MF-29 Multi-family Residential and LC Limited Commercial. Uses range from low-density residential, a high school and retail commercial uses. The application area is adjacent to a multi-lane arterial intersection carrying over 22,000 average daily trips. The residential uses to the north are buffered from the proposed use by a masonry wall and a mature hedgerow. Further to the north, less than 1,000 feet, there is a city fire station that responds to over 130 emergency calls in a typical month.
2. The suitability of the subject property for the uses to which it has been restricted: Potentially the site could be utilized as developed and zoned, however the existing structure has been vacant for two to three years indicating that there is something amiss with the existing development restrictions, the existing building or possibly the return expected from the rent or sale of the property.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the request will not introduce any elements to the general neighborhood that are not already present except possibly a facility that is open 24 hours a day. The fire station already runs with lights and sirens in the area, and the masonry wall and hedgerow provide a buffer to the north. The entrance to the facility is to be from the west side so that the rest of the building acts as a buffer for the retail uses located to the east.

4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Denial of the request could cause an economic hardship for the current property owner since he would lose out on this particular business opportunity. The community could also lose out in that there are not any hospital related EMS rooms in west Wichita. No one would argue that it is not in the community's interest to improve response times for emergency medical services.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: Improving the delivery emergency medical services is consistent with comprehensive plan goals and objectives. This site is a retail center that is located consistent with guidelines contained in adopted plans.
6. Impact of the proposed development on community facilities: No negative impacts are identified.

**City of Wichita
District V Advisory Board Meeting
October 4, 2004**

TO: City Council Member
District Advisory Board Members

SUBJECT: Neighborhood Inspection – Housing & Zoning

INITIATED BY: Office of Central Inspection

AGENDA: Staff Presentations

Recommendations: Receive & File

Background: Randy Sparkman and Deb Legge, Neighborhood Inspection Supervisors, will present information about Housing and Zoning Code Enforcement Activities, including substandard housing, illegal vehicle parking and storage, graffiti, home occupations, commercial zoning and signs.

Analysis: Neighborhood Inspection is split into two sections. The Zoning, Licensing & Signs section handles commercial zoning issues, licensing and signs. The Housing Enforcement section handles substandard housing issues, residential zoning and graffiti. There are currently 11 inspectors in the Housing section and 5 in the Zoning, Licensing and Signs section.

Financial Considerations: None

Legal Considerations: Title 20 of the City Code regulates maintenance of existing housing. The Unified Zoning Code regulates land use and Zoning laws.

Recommendation/Actions: It is recommended that the District Advisory Board receive and file the report.